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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

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10 Holly Marie Wood,

11 Plaintiff,

12 v.

13 Carl's Jr., *et al.*,

14 Defendants.
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Case No. 2:20-cv-02329-APG-BNW

ORDER re ECF Nos. 65 and 66

16 Presently before the Court are Defendant S.L. Investments' motions to seal. ECF Nos. 65
17 and 66. These motions have not been opposed.

18 **I. Legal Standard**

19 Generally, the public has a right to inspect and copy judicial records. *Kamakana v. City &*
20 *Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). Such records are presumptively publicly
21 accessible. *Id.* Consequently, a party seeking to seal a judicial record bears the burden of
22 overcoming this strong presumption. *Id.* In the case of dispositive motions, the party seeking to
23 seal the record must articulate compelling reasons supported by specific factual findings that
24 outweigh the general history of access and the public policies favoring disclosure, such as the
25 public interest in understanding the judicial process. *Id.* at 1178–79 (alteration and internal
26 quotation marks and citations omitted). The Ninth Circuit has further held that the full
27 presumption of public access applies to technically non-dispositive motions and attached
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1 documents as well, as long as the motion is “more than tangentially related to the merits of the
2 case.” *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1101 (9th Cir. 2016).

3 Given the “weaker public interest in nondispositive materials,” the court applies the good
4 cause standard in evaluating whether to seal documents attached to a non-dispositive motion that
5 are not more than tangentially related to the merits of the case. *Pintos v. Pacific Creditors Ass’n*,
6 605 F.3d 665, 678 (9th Cir. 2010); *Ctr. for Auto Safety*, 809 F.3d at 1101. “Nondispositive
7 motions ‘are often unrelated, or only tangentially related, to the underlying cause of action,’ and,
8 as a result, the public’s interest in accessing dispositive materials does ‘not apply with equal
9 force’ to non-dispositive materials.” *Pintos*, 605 F.3d at 678 (quoting *Kamakana*, 447 F.3d at
10 1179).

11 **A. Plaintiffs’ Motion to Seal (ECF No. 65)**

12 Here, Defendant’s motion to seal seeks to seal Exhibit A to the Reply in Support of Its
13 Motion for Sanctions. The exhibit in question is currently filed under seal at ECF No. 66. This is
14 related to a non-dispositive motion, and it is not more than tangentially related to the merits of the
15 case. Accordingly, the good cause standard applies to whether these documents (a declaration and
16 leases) should be sealed.

17 Defendant seeks to seal these documents because they consist of a letter denying
18 insurance coverage which contains information that is sensitive to S.L. Investments as well as
19 potential claims it may seek against others.

20 Based on the argument provided, the Court does find good cause exists to seal these
21 documents.

22 **B. Plaintiffs’ Motion to Seal (ECF No. 66)**

23 Here, Defendant’s motion to seal seeks to seal its Reply in Support of Its Motion for
24 Sanctions. The reply in question is currently filed under seal at ECF No. 66 and also filed in the
25 public docket at ECF No. 64. It is not clear to the Court whether Defendant intends to seal the
26 reply or not. It would not appear to be the case as (1) Defendant does not provide any points and
27 authorities explaining the need to do so, and (2) the reply, as noted previously, is filed in the
28 public docket.

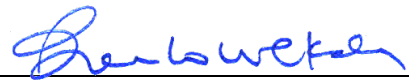
1 Thus, the Court denies ECF No. 66 without prejudice.

2 **II. Conclusion and Order**

3 **IT IS THEREFORE ORDERED** that Defendant S.L. Investments' Motion to Seal (ECF
4 No. 65) is **GRANTED**.

5 **IT IS FURTHER ORDERED** that Defendant S.L. Investments' Motion to Seal (ECF
6 No. 66) is **DENIED**.

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8 DATED: November 23, 2021.

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BRENDA WEKSLER
11 UNITED STATES MAGISTRATE JUDGE
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